

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF)	NOTICE OF APPLICATION;
BASIN ELECTRIC POWER COOPERATIVE,)	ORDER FOR AND NOTICE
INC. FOR AN ENERGY CONVERSION)	OF PUBLIC INPUT
FACILITY PERMIT FOR THE CONSTRUCTION)	HEARING; NOTICE OF
OF A COMBUSTION TURBINE GENERATOR)	OPPORTUNITY TO APPLY
NEAR GROTON, SOUTH DAKOTA)	FOR PARTY STATUS
)	EL04-041

On December 22, 2004, Basin Electric Power Cooperative, Inc. (Basin Electric) submitted to the Public Utilities Commission (Commission) an application for a permit for an energy conversion facility from Basin Electric Power Cooperative, Inc. (Basin Electric). Basin Electric is a consumer-owned, regional cooperative headquartered in Bismarck, North Dakota. Basin Electric proposes to construct a new 100 MW (nominal) General Electric LMS100 simple cycle gas turbine in Brown County, approximately five miles south of the city of Groton. The proposed site is located five miles south of the city of Groton, three miles north of the community of Ferney and 18 miles southeast of the city of Aberdeen, all of which is in Brown County. The proposed natural gas supply pipeline will originate from the existing Northern Border Pipeline located in the SE1/4 of Section 11, Township 120 North, Range 61 West in Spink County, South Dakota. The turbine will be fired by natural gas supplied by the nearby Northern Border Pipeline's existing 42" diameter interstate transmission line. This proposed project location will require approximately 12 miles of new pipeline to be installed to interconnect the gas turbine site with the major pipeline. The proposed site has an existing Western Area Power Administration (Western) 115-kV substation and a Basin Electric 345-kV substation. An existing 345-kV transmission line owned by Basin Electric and a 115-kV line owned and operated by Western currently pass within 1/2 mile of the site. This site will be operated remotely with daytime support personnel for operating and maintenance activities. The construction phase of the project will take place over a period of 12-15 months. A maximum of approximately 30-40 construction personnel will be on site at any given time.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-1, 49-41B-2, 49-41B-2.1, 49-41B-4, 49-41B-6, 49-41B-7, 49-41B-8, 49-41B-9, 49-41B-10, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-14, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-19, 49-41B-20, 49-41B-21, 49-41B-22, 49-41B-24, 49-41B-26, 49-41B-33, 49-41B-35, 49-41B-36, 49-41B-38, and ARSD Chapter 20:10:22.

The Commission finds that good cause exists to schedule a public input hearing pursuant to SDCL 49-41B-15 and 49-41B-16. The purpose of the hearing shall be to hear public comment regarding Basin Electric's application. At the public input hearing, interested persons may appear and present their views and comments regarding the application. A copy of the application is on file with the Brown County Auditor and Spink County Auditor pursuant to SDCL 49-41B-15(5).

The Commission further finds that pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the parties to this proceeding are Basin Electric and the Commission. Further, each municipality, county, and governmental agency in the area where the facility is proposed to be sited; any non-profit organization, formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the facility is to be sited; or any interested person, may be granted party status in this proceeding by making written application to the Commission. It is therefore

ORDERED, that the application by Basin Electric shall be and the same is, incorporated as if set forth in full herein; and it is

FURTHER ORDERED, that pursuant to SDCL 49-41B-17.1, a party may receive all material filed in this matter by making a specific request to the Commission for personal service of the material. Absent such a specific request, the County Auditors for Brown County and Spink County are the designated agents for service of process upon all other parties to this proceeding; and it is

FURTHER ORDERED, that the Commission shall hold a public input hearing on Thursday, February 3, 2005, at 6:00 p.m., at Coco's Steak and Seafood, Junction of Highways 12 and 37, Groton, South Dakota; and it is

FURTHER ORDERED, pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, that applications for party status be filed within 60 days from the date Basin Electric's application was filed with the Commission. Therefore, an application for party status must be filed with the Commission on or before February 21, 2005.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 13th day of January, 2005.

<p align="center">CERTIFICATE OF SERVICE</p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p align="center">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

GARY HANSON, Chairman

ROBERT K. SAHR, Commissioner

DUSTIN M. JOHNSON, Commissioner